

DAE *FFW*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of

) Group Art Unit 2661

CASTO, et al.

) ^, Examiner

Serial No. 10/804,493

Certificate of Mailing

Filed March 18, 2004

I hereby certify that this correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450 on this 9th day of November, 2006

For SECURE INTEGRATED
MOBILE INTERNET
PROTOCOL TRANSIT CASE

Michelle L. Garro
Michelle L. Garro, Sec'y to Andrew B. Morton

TRANSMITTAL SHEET

Enclosed are the following documents:

Petition to Make Special Because of Actual Infringement (*w/attached Certificate of Mailing*)

Statement of Facts in Support of Petition to Make Special (*w/attached Certificate of Mailing*)

Statement by Attorney in Support of Petition to Make Special (*w/attached Certificate of Mailing*)

First Supplemental Information Disclosure Statement (*w/attached Certificate of Mailing*)

First Supplemental Form PTO-1449

Exhibit A - ICI Networks MIPTAC Lite Owner's Manual Cover page

Exhibit B - Western Datacom brochure ComCase T Integrated Mobile Access Router -
Tactical (2 pages)

Exhibit C - Claim chart for claims comparison (3 pages)

Form PTO-2038 Credit Card Authorization (Petition fee under 1.17(h))

Return Receipt Postcard

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 18-0987. If a withdrawal is required from Deposit Account No. 18-0987, the undersigned attorney respectfully requests that the Commissioner of Patents and Trademarks cite Attorney Docket Number **ICN.P0001 for billing purposes.**

Respectfully submitted,

Andrew B. Morton
Andrew B. Morton, Reg. No. 37,400

Renner, Kenner, Greive, Bobak,
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Telephone: (330) 376-1242

Attorney Docket No: ICN.P0001



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MOBILE INTERNET
PROTOCOL TRANSIT CASE

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Michelle L. Garro, Sec'y to Andrew B. Morton

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PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT
(37 C.F.R. §1.102 AND M.P.E.P. 708.02)

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions to make this application special because of actual infringement.

Accompanying this Petition are the following documents:

1. Statement of Facts in Support of Petition to Make Special Because of Actual Infringement
2. Statement by Attorney in Support of Petition to Make Special Because of Actual Infringement
3. Supplemental Information Disclosure Statement
4. Exhibit A - ICI Networks MIPTAC Lite™ Owner's Manual cover page
5. Exhibit B - Western Datacom brochure ComCase™ T Integrated Mobile Access Router - Tactical
6. Exhibit C - Claim chart comparing claims of U.S. patent application Serial No. 10/804,493 to device shown in Exhibit B

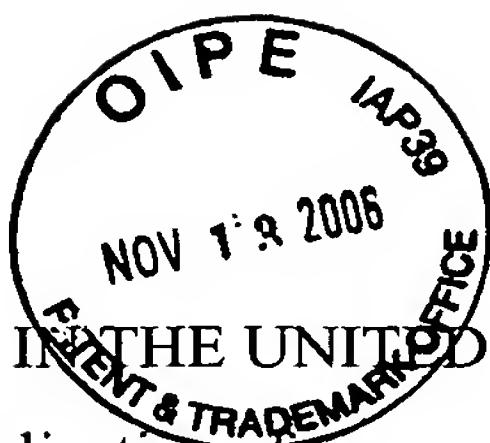
Form PTO-2038 Credit Card Authorization in the amount of \$130.00 for the fee set forth in 1.17(h) accompanies this document. In the event the fee for this Petition is missing or insufficient, the Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. **18-0987**. If a withdrawal is required from Deposit Account No. **18-0987**, the undersigned attorney respectfully requests that the Commissioner of Patents and Trademarks cite Attorney Docket Number ICN.P0001 for billing purposes.

Respectfully submitted,


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Attorney for Applicants

Attorney Docket No: ICN.P0001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in the application of

CASTO, et al.

Serial No. 10/804,493

Filed March 18, 2004

For SECURE INTEGRATED
MOBILE INTERNET
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) Group Art Unit 2661

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Michelle L. Garro, Sec'y to Andrew B. Morton

**STATEMENT OF FACTS IN SUPPORT OF PETITION TO MAKE SPECIAL
BECAUSE OF ACTUAL INFRINGEMENT (M.P.E.P. 708.02)**

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Andrew B. Morton, Registration Number 37,400, of Renner, Kenner, Greive, Bobak, Taylor and Weber, 106 S. Main Street, First National Tower 4th Floor, Akron, Ohio 44308-1456, telephone number (330) 376-1242, am the attorney of record in the above-identified application for invention and I hereby state the following:

There is an actual infringement of this invention.

The Applicants, Brian W. Casto, Thomas L. Smith, and John J. Retterer, caused to be filed a United States provisional application Serial No. 60/506,031 on September 25, 2003. A regular utility patent application, application Serial No. 10/804,493 claiming priority of the provisional application was filed on March 18, 2004.

Briefly, as set out in the application, the present invention is directed to a network integration system for wireless networks. Specifically, the invention is directed to incorporation of wireless wide area network components and wireless local area network components into a self-contained, mobile transit case. The disclosed system provides a local area network bridge and a wide area network bridge in conjunction with a router to provide connections to the internet in a quick and efficient manner. The system disclosed in the

application allows for establishment of a network in emergency response situations where internet or other network access is not easily facilitated. The system allows for receipt of any number of different power voltages and power operating frequencies and converts the received power to the necessary power required to operate components within the case. In particular, the power supply adjusts the input voltage to an appropriate voltage value for driving the bridges and power-over-ethernet injectors. Additionally, the power supply is utilized to power a router and a bi-directional amplifier. Such a configuration allows for a truly mobile internet system.

Applicants are employees of ICI Networks which has been selling the devices disclosed in the application since about the filing of the subject application. A cover page of ICI Networks owner's manual showing a device embodying the concepts of the present application is provided as Exhibit A.

One of the components that may be included in the device shown in Exhibit A is an encryptor which is also identified as an encryptor 82 in the subject patent application. When required, the Applicants utilize encryptors supplied by Western DataCom of Westlake, Ohio.

On a number of occasions, Applicants discussed with employees of Western DataCom the end use of the encryptors in the device of the subject application. Based on information discussed at these meetings, Western DataCom has developed, manufactured and sold the device shown in Exhibit B.

Upon information and belief, Western DataCom has a product on the market and is selling such a product as a device identified as ComCase™ T, which is identified as Exhibit B. The device shown in Exhibit B provides a wireless local area network, a wireless wide area network configuration, and a mobile access router. As seen in Exhibit B, power is provided at anywhere from 110 to 220 volts AC input or at 12 or 24 volts DC input.

The product that Applicants allege infringes this invention was first discovered to exist at least as early as March 23, 2006.

The claims of the present application are attached as Exhibit C and compared to the device shown in Exhibit B.

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communication or credit any overpayment to Deposit Account No. **18-0987**. If a withdrawal is required from Deposit Account No. **18-0987**, the undersigned attorney respectfully requests that the Commissioner of Patents and Trademarks cite Attorney Docket Number **ICN.P0001** for billing purposes.

Respectfully submitted,



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Attorney for Applicants

Attorney Docket No: ICN.P0001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**STATEMENT BY ATTORNEY IN SUPPORT OF PETITION TO MAKE
SPECIAL BECAUSE OF ACTUAL INFRINGEMENT (M.P.E.P. 708.02)**

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Andrew B. Morton, Registration Number 37,400, of Renner, Kenner, Greive, Bobak, Taylor and Weber, 106 S. Main Street, First National Tower 4th Floor, Akron, Ohio 44308-1456, telephone number (330) 376-1242, am the attorney of record in this case and make the following statements:

I have made a rigid comparison of the alleged infringing product referred to in my accompanying Statement of Facts in Support of Petition To Make Special Because of Actual Infringement with the claims of this application.

In my opinion, at least claims 1,3,4,9,12 and 13 on file in this application are unquestionably infringed by the ComCase T device sold by Western DataCom (see Exhibit B).

This opinion is supported by the following claim chart identified as Exhibit C. Claims of the pending application are provided in the left column of Exhibit C and the components shown in the Western DataCom brochure, ComCase™ T (as shown in Exhibit B) are provided in the right column of Exhibit C.

I have made a search of or have caused to be made a search of the pertinent prior art. All such material art is provided to the Examiner and is now being filed herewith, as a part of a Supplemental Information Disclosure Statement (IDS). Copies of all references listed in the Supplemental IDS are provided herewith and all prior IDS art is already of record.

I believe all the claims in this application as on file are allowable. This is based upon a pre-examination search undertaken for preparation of the Petition To Make Special. In this search, the following references were found.

Document No.	Name	Class/Sub-Class	Date
2005/0036622 A1	Hay et al.	380/270	February 2005
2003/0081581 A1	Clark et al.	370/338	May 2003
6,445,777	Clark	379/88.13	September 2002
6,636,498	Leung	370/338	October 2003
6,876,642	Adams et al.	370/338	April 2005
5,915,207	Dao et al.	455/9	June 1999
6,889,032	Dao et al.	455/11.1	May 2005

Hay et al., Publication No. US 2005/0036622 teaches a field deployable wireless network device. Fig. 1A of Hay shows a radio transceiver module with antennas, a network router, an encryption module, and a power source. Paragraph 33 of the publication specifically describes the radio transceiver module 150 as utilizing various radio standards including IEEE 802.11. It is also noted that the module may include built-in encryption capabilities. Paragraph 35 sets forth that the transceiver module 150 may also operate in a bridge role. Indeed, it is indicated that the bridge configuration may include a pair of radio transceiver modules used to create a wireless link that extends network connectivity between two sites on a point-to-point basis. It is also indicated that the modules may be used in a point-to-multipoint topology, or the module may be configured as a relay.

The Hay reference also discloses a power source 160 in the form of an uninterruptible power supply. Paragraph 45 teaches that the power source may be separate from and/or

included within the housing 110. And, it is suggested that different types of power supplies may be used as the power source. However, it is our opinion that this does not provide a clear teaching of “receiving input power of any type and converting said input to a system power” as set forth in claim 1 of the application. In other words, Hay teaches that only a single power source is used with the device 100, wherein the power level of the single power source may be at some nominal value. Clearly, Hay does not teach or suggest that the input power could be of any type (AC or DC) or any value associated therewith. Nor is there a clear teaching or suggestion that the Hay device is adaptable to receive different types of power sources to operate the device.

Turning now to the other references of relevance, U.S. published application to Clark et al., U.S. Publication No. US 2003/0081581 discloses a network that utilizes at least one mobile vehicle, and a wireless local area network that can be used in conjunction with a microwave communication system. Paragraph 18 discusses the use of a wireless wide area network and paragraph 20 discusses the integration of a wireless local area network. Paragraph 27 discusses the use of wireless LAN at individual locations that are linked to the wireless wide area network and an internet backbone via multipoint wireless routers. This publication has no clear discussion of the type of input power used by the system 100. Accordingly, for the same reasons as set forth above in regard to the Hay reference, it does not appear that the Clark reference teaches or suggests a power supply “receiving input power of any type and converting the input power to a system power” which is further used by the various types of networks and the router as set forth in Applicant’s claim 1.

The other relevant reference is also to Clark and is designated as U.S. Patent No. 6,445,777. This disclosure is similar to the ‘581 publication and also appears to be silent as to the use of a power supply “receiving input power of any type and converting the input power to a system power.”

The patent to Leung, U.S. Patent No. 6,636,498 and assigned to Cisco Technology, Inc. is directed to a mobile IP mobile router and is specifically directed to the setting of internet protocol addresses for use in a network. The patent to Adams et al., U.S. Patent No. 6,876,642, is directed to a wireless local area network communication system for a vehicle and also discloses use of an antenna 42 for linking to a wireless wide area network. However, nothing is disclosed in regard to the use of a power supply system for “receiving

input power of any type and converting the input power to a system power.” The patents to Dao et al., U.S. Patent Nos. 5,915,207 and 6,889,032, are directed to local area networks with satellite uplink or connection to other networks. There is no discussion that the wireless wide area network, wireless local area networks and the router disclosed in these patents are situated in a self-contained unit, nor is there any discussion of the ability to receive input power of any type.

Based upon the foregoing, it is respectfully submitted that none of the references, taken either singly, or in combination with one another, anticipate or render obvious the claims of the present application. Therefore, allowance of the claims is respectfully requested.

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Respectfully submitted,



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